

Comment Set 36



April 13, 2006

Valerie Van Way
California State Lands Commission
100 Howe Avenue, Suite 100-South
Sacramento, CA 95825

Subject: Draft Environmental Impact Report for the Chevron Richmond Long Wharf Marine Terminal Lease Consideration

Dear Ms. Van Way:

On behalf of the San Francisco Bay Trail Project, I am writing to submit comments on the Draft Environmental Impact Report (DEIR) for the Chevron Richmond Long Wharf Marine Terminal Lease Consideration (Chevron Long Wharf Lease). The proposed lease area and associated Chevron oil transfer and refinery facilities are located in the Point Richmond and Point Molate areas of the City of Richmond. The Bay Trail Project is a nonprofit organization administered by the Association of Bay Area Governments (ABAG) that plans, promotes, and advocates for the implementation of the Bay Trail. The Bay Trail is a planned 500-mile continuous network of multi-use bicycling and hiking paths that, when complete, will encircle San Francisco and San Pablo Bays in their entirety. It will link the shoreline of all nine Bay Area counties, as well as 47 cities. To date, more than half the length of the proposed Bay Trail system has been developed.

Under the Bay Trail Plan adopted by the Association of Bay Area Governments (ABAG), the planned Bay Trail alignment runs along the south side of Interstate 580 (I-580) from Tewksbury Avenue to the Richmond/San Rafael Bridge. The adopted Bay Trail alignment continues on the north side of I-580 along the shoreline to the former Point Molate U.S. Naval Fuel Depot and Point San Pablo. These two segments are critical in that they will provide the connection to the planned parks and open spaces on the Point San Pablo Peninsula and the key Bay Trail connection between the East Bay and Marin County. The importance of these two Bay Trail segments is further demonstrated by the coordinated efforts of Chevron, the City of Richmond, and ABAG to complete the "Feasibility Study of Bay Trail Routes to Point San Pablo Peninsula Report" in July 31, 2001.

In order to develop these two Bay Trail alignments, portions of the Bay Trail will need to cross Chevron lands that are currently utilized for operations related to the Chevron Long Wharf oil transfer operations and the associated refinery operations. The proposed California State Lands Commission (CSLC) lease for the Chevron Long Wharf will allow the current oil transfer and refinery operations to continue for another 30 years. The Chevron Long Wharf is essential and inextricably linked to the entire Chevron refinery operation in Richmond. The refinery operations depend on the delivery and transfer of oil from the Chevron Long Wharf. Without the Chevron Long Wharf, the Chevron refinery operations and facilities in Richmond would not exist as they do now. As such, it is paramount that the DEIR for the Chevron Long Wharf Lease adequately analyzes and discusses the potential adverse impacts of the proposed lease action to the development of the planned Bay Trail alignments.

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36-1

The DEIR makes the same argument as outlined above. "Granting a new lease for Long Wharf operations offers the opportunity to examine the potential for any adverse impacts to public access opportunities along this section of shoreline and any conflicts with agency plans to promote a Bay Trail segment linking Point Richmond with Point Molate. In addition, if the lease were denied, the shoreline facilities supporting the Long Wharf could be removed. With this area open, a trail could go through the area with no direct conflicting land uses, and the land itself could serve as a safety buffer between the trail and the Refinery."

36-2

Although the DEIR does discuss the Bay Trail, it does not adequately address the conflicts of the proposed lease action with the Bay Trail Plan, the Metropolitan Transportation Commission's Regional Bicycle Plan, the Contra Costa County-Wide Bicycle Plan, and the City of Richmond's General Plan elements related to the Bay Trail. The DEIR also does not adequately analyze and discuss the potential adverse impacts to the Bay Trail as a result of the proposed 30-year lease. Under CEQA, the analysis of project-related adverse impacts must not only include impacts that directly result from the proposed action but also the indirect impacts that would occur as a result of the proposed action. In the case of this DEIR, the proposed 30-year lease for the Chevron Long Wharf essentially allows the continuation of the entire Chevron transfer and refinery operations as they currently exist in the City of Richmond. These Chevron operations and facilities include lands that are necessary to facilitate the planned Bay Trail alignment. As a result, the DEIR must analyze these indirect impacts to the planned Bay Trail. In addition, the DEIR must identify, analyze, and adopt any feasible mitigation measures to reduce or eliminate the direct and indirect adverse impacts to the Bay Trail as a result of the proposed lease action.

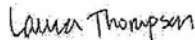
36-3

As mitigation for any adverse impacts to the Bay Trail, we recommend that the DEIR consider adoption of the following mitigation measures for Chevron:

- Provide public access easement to develop the planned Bay Trail alignment that runs along the south side of I-580 from Tewksbury Avenue to the Richmond/San Rafael Bridge. This alignment is identified as Option 2 in the "Feasibility Study of Bay Trail Routes to Point San Pablo Peninsula Report" dated July 31, 2001.
- Provide public access easement to develop the planned Bay Trail alignment that runs on the north side of I-580 along the shoreline to the former Point Molate U.S. Naval Fuel Depot and Point San Pablo.
- Provide funds to design, permit, and construct the Option 2 Bay Trail alignment identified in the "Feasibility Study of Bay Trail Routes to Point San Pablo Peninsula Report" dated July 31, 2001.

The Bay Trail Project appreciates the opportunity to comment on the DEIR for the Chevron Long Wharf lease and looks forward to continuing our partnership with CLSC and Chevron. Please do not hesitate to call me at (510) 464-7935 if you have any questions regarding the above comments or the Bay Trail.

Sincerely,



Laura Thompson
Bay Trail Project Manager

cc: Paul Thayer, California State Lands Commission
Joseph Rusconi, California Department of Justice

Response to Comment Set #36

36-1

Please refer to the first two paragraphs of response to Comment 39-3.

36-2

Please refer to the response to Comment 3-1.

36-3

Please refer to the response to Comment 36-1 above and Comments 3-1 through 3-15.